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cise of its power may be taken as a truism: the United States government, in its prosecution of combinations in restraint of trade under the Sherman anti-trust law during the administrations of Roosevelt, Taft, and Wilson, has been engaged in determining the question whether private capital is stronger than the American government. But the fact that the United States government has lately shown its ability to bring a high class of advocates to present its case to the courts, and the fact that the Sherman anti-trust law has gained new significance, and that without any statutory amendment to the law, seems to bring no encouragement to Mr. Adams. He agrees with Roosevelt's declaration of principle in 1912, that the courts must be reformed or reconstituted as expounders of the Constitution. But his book must not be interpreted as a defense of the proposal to recall judges; it is designed, rather, as a warning against such a measure, because such a measure would result in establishing political courts pure and simple.

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La conception sociologique de la peine. By MIECZYSLAW SZERER.

In "Bibliothèque sociologique internationale." Paris: Giard et Brière, 1913. Pp. 205. Fr. 4.

In this work the following subjects are treated: vengeance in primitive society; the appearance of punishment; the theory of punishment considered under five heads—the sociological conception of punishment, the altruism of punishment, punishment and the offended party, transitory phenomena, punishment and vengeance; and punishment and the family.

The two typical consequences of wrong acts, vengeance and punishment, have their respective foundations in human nature and in the desire to maintain a social structure. Vengeance is found under conditions which admit of individual freedom and violence. Punishment is found precisely in the negation of this liberty and this force.

Vengeance consists in the manner in which human nature reacts to wrong. Punishment is also a reaction provoked by wrong, but it is supported by the need of maintaining a given form of relations among men who co-operate in certain groups. In place of destroying the force of injustice, vengeance only doubles it and adds to the existing injustice a new injustice. There is no instrument less effective to regulate the common life of men than vengeance. Thus there is a fundamental opposition between punishment and vengeance.

Man is a social being and the co-operation of men to the end of satisfying vital needs and facing the perils of existence is the foundation of social life. Organization introduces an automatic reproduction of co-operation. It is a force which reduces individuals to uniformity without utilizing visible constraint. It acts by suggestion upon the minds of the members of the group by means of the idol of "social order." Since organization is established to conserve the social structure, it follows immediately that there ought to be some means of reacting against a violation of a given social form. Organization cannot content itself with positive direction in the sense of consolidating the social order; it ought to act negatively, to repress attempts which are made to disturb it. This form of reaction is punishment. Punishment is an institution responding to the needs of social relations. Thus we can deduce punishment from the evolution of social relations without the aid of the idea of vengeance.

The conception of punishment will be sociological when we have abstracted from all the changes of time and place that which persists through all modifications and is unquestionably repeated in each concrete phenomenon of punishment.

When the group is organized by the dominant class it divides into those who submit themselves to the social order and those who act contrary to the social order. Acts which up to this time are considered only as personal wrongs are now called by the name of offenses.

Punishment becomes the means employed by organization to make out of the anti-social individual a being who has become social, in the sense that he is resigned to living according to the rules of the existing social structure. A reprehensible action disturbs ordinary co-operation and causes the social structure to tremble. By punishment this equilibrium is re-established. Thus understood, punishment is a correlative of organization. It is possible to conserve the social structure only by discouraging deviation from type. Thus, where there is organization, punishment becomes the means of conserving the life of the social group.

In the measure that society develops, punishment becomes milder. In early times punishment is necessarily severe because of the independence of the individual with regard to the group. In a high stage of civilization the individual is more closely adapted to his proper medium and finds in this special medium the complement of his imperfection. Social dependence is based upon the division of labor. As it becomes more and more difficult for the individual, specialized according to the form of co-operation in a certain group, to live satisfactorily without

it, individualistic acts become improbable and the severity of punishment diminishes.

Although punishment would seem to react exclusively for the benefit of the dominant class, it is never purely egoistic. It often serves the interest of the subordinate class. Only when there is an irreconcilable conflict between the interests of the dominant and the subordinate classes, does punishment act entirely without altruism. This constitutes the natural limits of the altruism of punishment.

While vengeance has a physical source, punishment has a social source. The analogy between vengeance and punishment as forms of reaction against wrongs is superficial. Vengeance is the elementary discharge of a passion. Punishment, on the contrary, is an institution. It is not a movement of a reflex nature, but is a means of conserving a certain social formation.

Only in a complete anarchy is there no place for punishment. But the positive study of society shows us that social evolution is not toward anarchy, but on the contrary that the relations of men are becoming increasingly complex.

Although this work adds nothing new, it is a stimulating and interesting discussion of the sociological aspect of punishment. The subject is approached with unusual philosophical insight. The treatment is clear and penetrating.

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Encyclopédie socialiste, syndicale, et coopérative de l'internationale ouvrière. Edited by COMPÈRE-MOREL. Vol. VI. *Le mouvement socialiste international.* By JEAN LONGUET. Paris: Quillet. Pp. 648.

There is probably nobody, either in France or in the whole world, more capable of making an able résumé of the International Socialist movement than Jean Longuet. As one of the two surviving grandsons of Karl Marx, he has not only been brought up in the Socialist movement from the cradle but he has been equally familiar with the leading parties, those of Germany, France, and Great Britain. As one of the three secretaries of the French party and occupying a position in the center of the movement free from entanglements with either wing, he can speak officially for the French party.

Unfortunately a separate volume of the encyclopedia deals with France. Indeed this is the chief defect of the present volume from the international standpoint—namely that France is omitted entirely from